

HOUSE BILL 1268

C2

2lr2630

By: **Delegates Barnes, Davis, Feldman, Hershey, Impallaria, and W. Miller**

Introduced and read first time: February 13, 2012

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, February 27, 2012

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2012

CHAPTER _____

1 AN ACT concerning

2 **Business Occupations and Professions – Plumbers – Lead-Free Materials**

3 FOR the purpose of altering the definition of “lead-free” to include a certain standard
4 for individual plumbing fittings and fixtures; allowing for a stricter federal
5 standard for lead-free plumbing fittings and fixtures and pipes and pipe
6 fittings; clarifying which pipes, pipe fittings, plumbing fittings, and fixtures are
7 considered when calculating weighted average lead content; and generally
8 relating to the lead content of materials used in plumbing.

9 BY repealing and reenacting, without amendments,
10 Article – Business Occupations and Professions
11 Section 12-101(a) and (q)
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Business Occupations and Professions
16 Section 12-101(h-1) and 12-605.1
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Business Occupations and Professions**

2 12–101.

3 (a) In this title the following words have the meanings indicated.

4 (h–1) “Lead–free” means:

5 (1) containing not more than 0.2% lead for solder and flux;

6 (2) **EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION,**
7 containing not more than:8 **(I) 4% LEAD BY DRY WEIGHT FOR INDIVIDUAL PLUMBING**
9 **FITTINGS AND FIXTURES; OR**10 **(II) 8% lead by dry weight for INDIVIDUAL pipes and pipe**
11 **fittings;**12 (3) containing a percentage of lead for plumbing fittings and fixtures
13 that is in compliance with standards established under 42 U.S.C.A. § 300g–6(e) of the
14 federal Safe Drinking Water Act; and15 (4) containing not more than a weighted average lead content of 0.25%
16 for the wetted surfaces of a pipe, pipe fitting, plumbing fitting, or fixture intended to
17 dispense water for human consumption through drinking or cooking.

18 (q) “Weighted average lead content” means a calculation determined by:

19 (1) identifying each component of a pipe, pipe fitting, plumbing fitting,
20 or fixture that water flows through and comes into contact with during normal
21 operation;22 (2) identifying the percentage lead content of each component of the
23 pipe, pipe fitting, plumbing fitting, or fixture;24 (3) determining the wetted surface area of each component of the pipe,
25 pipe fitting, plumbing fitting, or fixture;26 (4) determining the percent of total wetted surface area of the pipe,
27 pipe fitting, plumbing fitting, or fixture, represented in each component;28 (5) calculating the contributing percent lead for each component that
29 comes into contact with water by multiplying the percentage of lead content of the
30 component by the percent of total wetted surface area represented by the component;
31 and

1 (6) calculating the sum of each contributing percent lead value
2 determined for each component under item (5) of this subsection.

3 12-605.1.

4 (a) In the installation or repair of plumbing intended to dispense water for
5 human consumption, a person shall use only pipes, pipe fittings, plumbing fittings, or
6 fixtures that are lead-free.

7 (b) In the installation or repair of plumbing intended to dispense water for
8 human consumption, a person shall use only solder or flux that is lead-free.

9 (c) **ONLY THE INDIVIDUAL PIPES, PIPE FITTINGS, PLUMBING FITTINGS,
10 OR FIXTURES THAT ARE INSTALLED OR REPAIRED MAY BE CONSIDERED WHEN
11 CALCULATING THE WEIGHTED AVERAGE LEAD CONTENT.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.